

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
MAY 11, 2004
9:00 A.M.**

ROLL CALL

Invocation – Police Chaplain Clift Barnes
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

1. ***Nurses Week***
2. ***National Tourism Week***
3. ***National Police Week***

REGULAR AGENDA

1. Resolution that the Director of the El Paso Public Library be authorized to accept the donation of a Yamaha Baby Grand Piano, 4'11" GA 1-E Model in Ebony, valued at \$7,000, from The Friends of the Northeast Library, Mrs. Linda Littleton in memory of Myrle Littleton, and an anonymous donor, for the Richard Burges Branch of the El Paso Public Library System. The piano will be used at the branch for year-round programming for all ages and such special music programs as the Piatigorsky Foundation Musical Concerts. **(District 4)**
[Library, Carol Brey-Casiano, (915) 543-5406]
2. Resolution that the Grand Lobby of the El Paso Museum of Art shall be named the "Patricia and Jonathan Rogers Grand Lobby" in honor of the generous and continued support of these long-time benefactors of the Museum.
[El Paso Museum of Art, Becky Duval-Reese, (915) 532-1707]

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Additions to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

3. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meetings of February 18, 2003 and May 4, 2004 and Special City Council Meeting of May 3, 2004.

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

5. RESOLUTIONS:

5A. That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ANTHONY R. TALAMO**, to assist the Building and Planning Services Department as a Capital Projects Manager at a biweekly rate of \$2,174.04 for 40 hours per week. The term of the contract shall be for the period of May 17, 2004 through May 16, 2005. Contract subject to the concurrence of the Civil Service Commission. [Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

5B. That the City Council approve a Letter of Engagement between the City of El Paso and Norman J. Gordon, Attorney at Law, Mounce, Green, Myers, Safi & Galatzan, a Texas Professional Corporation to consult with the City on all aspects relating to the matter of the APPLICATION OF EL PASO ELECTRIC COMPANY FOR AUTHORITY TO RECONCILE FUEL COSTS, PUC DOCKET NO. 26194, SOAH DOCKET NO. 473-03-0278. [City Attorney's Office, Lisa A. Elizondo, (915) 541-4550]

5C. That the El Paso Museum of Art be authorized to serve beer and wine at One Arts Festival Plaza at the reception for Corporate Members on May 20, 2004, from 5:30 p.m. to 7:30 p.m. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

5D. That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Street Festival
Licensee:	Regent Broadcasting
Date:	July 3, 4 & 5, 2004
Time:	4:00 p.m., July 3 - 3:30 a.m. July 5
Charge for Space:	\$2,000.00
Charge for Staff (est.):	\$1,280.00
Insurance:	(will carry their own)
Area(s):	Arts Festival Plaza

5E. That the Mayor be authorized to sign and submit a Grant Application to the National Endowment for the Humanities on behalf of the City of El Paso. The amount is for \$2,000.00, which will be used by the El Paso Museum of History to purchase storage furniture and acid-free containers for its photograph collection. [El Paso Museum of History, Barbara J. Angus, (915) 858-1928]

- 5F.** Authorizing the Mayor to sign an Approval of Assignment and Landlord's Estoppel Certificate for a parking and loading area ground lease agreement with Heinz Pet Products, approving the Assignment of same to Prosperity III, Ltd., LP. The leased property consists of 0.929 acres of land being a portion of Parcel One, Section 17, Block 81, Township 2, T&P Railroad Survey at Marshall Road and Plane Port Loop, El Paso County, Texas. **(District 2)**
[El Paso Water Utilities Public Service Board, Robert Andron, (915) 594-5506]
- 5G.** That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for electrical service for Valley Creek Park located at 651 Gomez Road. Said service shall consist of an underground electrical system. Total cost to the City shall not exceed TWENTY SEVEN THOUSAND THREE HUNDRED TWENTY-FIVE AND 56/100 DOLLARS (\$27,325.56). **(District 1)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5H.** That the Mayor is hereby authorized to sign a Letter of Agreement, and any related documentation, with the El Paso Electric Company to provide for the installation of underground electrical service to the Marty Robbins Recreation Center, located at 11600 Vista del Sol, El Paso, El Paso County, Texas. Said electrical service shall consist of an underground system consisting of a 227/480 volt, three phase, four wire. One (1) 300 KVA transformer will be installed to service the electrical load. **(District 6)**
[Engineering Department, Irene Ramirez, (915) 541-4431]
- 5I.** That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a Portion of Block 320, Vista Del Sol, Unit 66, El Paso County, Texas to provide service to the Marty Robbins Park Recreation Center located at 11600 Vista Del Sol Drive. **(District 6)** [Engineering Department, Irene Ramirez, (915) 541-4431]
- 5J.** That the Mayor be authorized to sign an Affiliation Agreement by and between the City of El Paso ("City") and the Western Technical Institute ("Institute"), wherein the students enrolled in the Institute will participate in obtaining practical field experience with the City. [Fleet Services, Jeff Belles, (915) 621-6821]
- 5K.** That the Library Director be authorized to sign an Exhibit Contract with Alejandro Montenegro covering an exhibit of "Books, Flyers, and Pamphlets related to Alcoholics Anonymous" at the Main Library of the El Paso Public Library System for the period of August 1 through 31, 2004. This exhibition is at no cost to the City. **(District 8)** [Library, Carol Brey-Casiano, (915) 543-5406]
- 5L.** That the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement:

El Paso "Indios" Baseball Club

Thomas Manor Park

and that the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract. **(District 7)**

[Parks & Recreation, Norman Merrifield, (915) 541-4331]

- 5M.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ANGELICA TERRAZAS**, to assist the Parks and Recreation Department as an Outdoor Pool Manager at an hourly rate of \$7.30 for 40 hours per week. The term of the contract shall be for the period of May 14, 2004 through September 30, 2004. Contract subject to the concurrence of the Civil Service Commission.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 5N.** That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ALEJANDRO VARGAS, JR.** to assist the Parks and Recreation Department as an Outdoor Pool Manager at an hourly rate of \$7.50 for 40 hours per week. The term of the contract shall be for the period of May 14, 2004 through September 30, 2004. Contract subject to the concurrence of the Civil Service Commission. [Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 5O.** That the Mayor be authorized to execute the following **INDEPENDENT CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

ACOSTA SPORTS CENTER**DEPARTMENT ID: 51010215, ACCOUNT 502215**

1. CONTRACTOR: Noel Diaz, Scorekeeper
DATES: May 14, 2004 through August 31, 2004
RATE PER CL: \$6.25
MAXIMUM AMT: \$1,500.00
CONTRACT: **2003/2004-138**
 2. CONTRACTOR: Joe V. Hernandez, Scorekeeper
DATES: May 14, 2004 through August 31, 2004
RATE PER CL: \$10.00
MAXIMUM AMT: \$2,400.00
CONTRACT: **2003/2004-139**
 3. CONTRACTOR: Perry Huddleston, Scorekeeper/Umpire
DATES: May 14, 2004 through August 31, 2004
RATE PER CL: \$27.00
MAXIMUM AMT: \$1,350.00
CONTRACT: **2003/2004-140**
 4. CONTRACTOR: Sergio Ruvalcaba, Tennis Instructor
DATES: May 12, 2004 through August 31, 2004
RATE PER CL: \$9.00
MAXIMUM AMT: \$396.00
CONTRACT: **2003/2004-141**
- 5P.** That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contracts on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for these contracts is in fiscal year **2003/2004** appropriations to be approved by the City Council.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

AQUATICS

DEPARTMENT ID: 51010281, ACCOUNT 501011

1. CONTRACTOR: Sabrina Cox, Swim Instructor Coordinator, Step 3
DATES: May 26, 2004 through September 30, 2004
RATE PER HR: \$7.20
CONTRACT NO: **2003/2004-254**
2. CONTRACTOR: Heather E. Curiel, Lifeguard, Step 2
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-255**
3. CONTRACTOR: Aira A. Dolz, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-256**
4. CONTRACTOR: Christian A. Dolz, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-257**
5. CONTRACTOR: Nicholas S. Haddox, Lifeguard, Step 2
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-258**
6. CONTRACTOR: Adrian Lopez, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-259**
7. CONTRACTOR: Reyes J. Manriquez, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-260**
8. CONTRACTOR: Jose A. Martinez, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-261**
9. CONTRACTOR: Jorge A. Rodriguez, Lifeguard, Step 2
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-262**
10. CONTRACTOR: Yvette Sausamed, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-263**
11. CONTRACTOR: Vicente A. Sosa, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-264**

12. CONTRACTOR: Hernan Torres, Lifeguard, Step 2
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$6.00
CONTRACT NO: **2003/2004-265**
13. CONTRACTOR: Liz D. Vasquez, Swim Instructor, Step 1
DATES: May 12, 2004 through September 30, 2004
RATE PER HR: \$5.35
CONTRACT NO: **2003/2004-266**

- 5Q.** That the Mayor be authorized to sign a Contract with NORTONER to allow NORTONER to collect and recycle the City's used inkjet, toner and photocopier cartridges. **(All Districts)** [Solid Waste Management, Richard Razo, (915) 621-6725]
- 5R.** That the Mayor be authorized to sign an Agreement with CRAZY CAT CYCLERY to provide One (1) Four (4) cubic yard Container for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(District 1)** [Solid Waste Management, Emma Acosta, (915) 621-6719]
- 5S.** That the Mayor be authorized to sign an Agreement with FRANCIS PROPERTIES I, LTD. to provide One (1) Four (4) cubic yard Container for a service fee of \$15.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(District 8)**
[Solid Waste Management, Emma Acosta, (915) 621-6719]
- 5T.** That the Mayor be authorized to sign an Amendment to the Agreement with YSLETA INDEPENDENT SCHOOL DISTRICT, ON BEHALF OF EASTPOINT ELEMENTARY SCHOOL, passed and approved May 5, 2000, for One (1) 4 Cubic Yard Dumpster and Eight (8) 8 Gallon Baskets, to add Three (3) 35 Gallon Containers, for a total of One (1) 4 Cubic Yard Dumpster, Eight (8) 8 Gallon Baskets and Three (3) 35 Gallon Containers, for a service fee of \$ 20.00 for each month, in exchange for their recyclable materials in conjunction with the Department of Solid Waste Management's recycling program. **(District 5)**
[Solid Waste Management, Emma Acosta, (915) 621-6719]
- 5U.** Placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04. [Solid Waste Management, Emma Acosta, (915) 621-6719]

3403 Craig Avenue (District 2)	\$143.97	Christopher Santaguida
4360 Loma de Oro Drive (District 4)	\$282.53	Ricardo JR & 1 Bautista
10901 Pelhem (District 5)	\$ 82.81	Jesus A. Valadez c/o Escrow, Inc.
945 Cornelius Drive (District 7)	\$402.15	Herman Cenicerros
1201 Myrtle Avenue (District 8)	\$ 88.22	Harann Investments, Inc.

- 5V.** That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
215 West Paisano Drive	\$103.92	\$56.98	\$160.90
(District 8) [Solid Waste Management, Emma Acosta, (915) 621-6719]			

- 6.** Notice to set a public hearing to be held on Wednesday, June 2nd, 2004 to determine if the property located at 6127-6135 N. Mesa Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owner of record as of March 22nd, 2004, Karl M. Friedman, 5647 A Cory Drive, El Paso, Texas 79932, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 7.** Notice to set a public hearing to be held on Wednesday, June 2nd, 2004 to determine if the property located at 810 S. Oregon Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated February 2004. The owners of record as of April 22nd, 2004, Guadalupe Norman, 203 E. 7th Avenue, El Paso, Texas 79901 and Jose Roberto Avila, Jr., 810 S. Oregon Street, El Paso, Texas 79901, have been notified of the violations at this property. Delinquent taxes in the amount of \$962.93. **(District 8)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 8.** Notice to set a public hearing to be held on June 8th, 2004 to determine if the property located at 231 Lolita Place in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 23rd, 2003. The owner of record as of January 5th, 2004, Juana G. Delgado, 231 Lolita Place, El Paso, Texas 79907, has been notified of the violations at this property. Delinquent taxes in the amount of \$1,619.05. **(District 6)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 9.** Notice to set a public hearing to be held on June 8th, 2004 to determine if the property located at 315 Kitt Road in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 30th, 2003. The owner of record as of March 3rd, 2004, Wachovia Bank National Association, A National Banking Association as Trustee for the Long Beach Mortgage Loan Trust 2002-2, C/O Washington Mutual, P. O. Box 1093, Northridge, California 91328, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 7)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]
- 10.** Notice to set a public hearing to be held on June 15th, 2004 to determine if the property located at 7361 Alameda Avenue Space V in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated March 13th, 2003. The owners of record as of March 3rd, 2004, Alfredo and Delia Martinez, Owners, 4923 Knox Drive, El Paso, Texas 79904-3427, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)** [Building Permits & Inspections, Tom Maguire, (915) 541-4588]

- 11.** Request that the street and drainage improvements in the following subdivision to be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications. **(District 5)**

Subdivision: Sun Ridge Unit 11
Owner/Developer: Socorro Independent School District
Consultant: Brock and Bustillos Inc.
Street Improvements:

Sun Country Drive - from the northwest subdivision boundary line to the end of the construction at station 21 + 78.92

Drainage Improvements:

Retention Ponding Area - at Lot 2, Block 1; with a 2.842 ac. area and a 14.64 ac-ft. capacity; 1-Thurst Block Structure with Rock Rip-Rap; 35.0 ft. of 48" R.C.P.; 1118.0 ft. x 6.0 ft. high Rock Wall Fence; 368.0 ft. x 3.0 ft. high Rock Wall Fence; 368.0 ft. x 3.0 ft. Chain Link Fence; 1-18 ft. Double Swing Gate; and 135.0 ft. x 15.0 ft. Ramp/Flume with Rock Rip-Rap

Storm Drainage System - located at Sun Country Drive; 1-3 Grate Drop Inlet Type I
[Engineering Department, Bashar Abugalyon, (915) 541-4157]

- 12.** Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

12A. Shuttle Bus Operator (1)
[Airport, Patrick T. Abeln, (915) 780-4724]

12B. Laborer (43)
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

12C. Automotive Service Worker I (2)
[Sun Metro, Terry Lee Scott, (915) 534-5810]

12D. Automotive Service Worker I (1)
[Sun Metro, Terry Lee Scott, (915) 534-5810]

12E. Cashier Clerk (1)
[Sun Metro, Terry Lee Scott, (915) 534-5810]

- 13.** Request for provisional appointment in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

Inventory Coder (1)
[Purchasing Department, Byron Johnson, (915) 541-4308]

14. BOARD APPOINTMENTS:

- 14A.** Vivian Rojas to the City of El Paso Property Finance Authority, Inc. Board of Directors by Council.
- 14B.** Charlie Vinson to the City of El Paso Property Finance Authority, Inc. Board of Directors by Council.
- 14C.** Daniel S. Power to the City of El Paso Property Finance Authority, Inc. Board of Directors by Council.
- 14D.** Susan de la Vega to the City of El Paso Property Finance Authority, Inc. Board of Directors by Council.
- 14E.** Michael Bray to the City of El Paso Property Finance Authority, Inc. Board of Directors by Council.

15. RESIDENTIAL STREET LIGHT: Approve installation, power, and maintenance of residential street light at the following location:

Alley behind 1006 S. Oregon St. Estimated cost is \$464.00. **(District 8)**
[Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]

16. APPLICATIONS FOR TAX REFUND: [Tax Office, Juan Sandoval, (915) 541-4369]

- 16A.** UPS Supply Chain Solutions in the amount of \$15,038.61, overpayment of 2003 taxes. (PID #1999-999-3027-0050)
- 16B.** Sierra Title Co. in the amount of \$5,594.60, overpayment of 2003 taxes. (PID #C340-999-1510-0800)

17. Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for Two (2) additional years, from June 25, 2004 to June 26, 2006 pursuant to the provisions of Contract # 2002-171-C2 with Jobe Concrete Products, El Paso, Texas for Street Construction Material.

OPTION NO.: ONE [OF ONE]

Department: Street Department
Funds available: 32010200-01101-503203
Funding source: Street Operating Account-Street Maintenance
Total award: \$15,000.00 (annual estimate)
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

18. BEST VALUE PROCUREMENT:

This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.

Bid No.: 2004-077 Ambulance Stretchers
Award to: Stryker EMS Equipment
Kalamazoo, MI
Item (s): #1
Amount: \$41,775.00

Department: Fire Department
Funds available: 508007-27260-04252003-PMB0004130
Funding source: FY03 City Capital Equipment-Certificates of Obligation
Total award: \$41,775.00
District (s): All

The Fire and Purchasing Departments recommend award as indicated to the Bidder offering the Best Value Bid.

This is a fixed-price, single (one-time) purchase, to purchase Ambulance Stretchers. There are options to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days and one hundred eighty (180) days from the date of award of the contract. No prompt payment discount was offered. [Purchasing Department, Barbara Crumley, (915) 541-4315]

19. REQUEST FOR PROPOSAL:

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

19A. Bid No.: 2003-228R Pay Phone System for the City of El Paso
Award to: SBC
El Paso, TX
Item (s): All
Amount: \$104,547.00 (estimated year)

Department: Public Safety Technology
Funds available: Revenue
Funding source: Revenue
Total award: \$418,148.00 (estimated 4 years)
District (s): All

The Review Committee based on evaluation factors established for this RFP recommend award to SBC submitting the only proposal. See attached memorandum for explanation.

This is a four (4) year contract with the option to extend the contract for an additional two (2) years.

Additionally, authorization is requested for City staff to negotiate, City Attorney's Office to review, and the Mayor be authorized to execute any related contract documents and agreements necessary during the contract.
[Purchasing Department, Ray Heredia, (915) 541-4316]

19B. Bid No.: 2004-159R Hockey Concession for Parks & Recreation
Award to: Nations-Tobin Recreation Center
Coast To Coast Hockey Inc.
El Paso, Texas
Item (s): All
Amount: \$3,900.00 (yearly)

Department: Parks & Recreation
Funds available: Revenue
Funding source: Revenue
Total award: \$19,500.00
District (s): 2

Parks & Recreation Department and Purchasing recommend awards as indicated as this is the sole vendor providing a proposal meeting specifications.

This is a five (5) year contract with the option to extend the term of this contract for two (2) additional three-year periods.
[Purchasing Department, Ray Heredia, (915) 541-4316]

20. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

20A. Bid No. 2004-106 Stearns Airport Equipment Parts
Award to: Unified Supply & Services Co.
Flower Mound, TX
Item (s): 1
Amount: \$50,000.00 (estimated)

Department: Department of Aviation
Funds available: 62620003-503121-40101
Funding source: Airport Operating Fund
Total award: \$50,000.00 (estimated)
District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

FKI Logistex is non-responsive due to no prices being submitted with their bid, thereby preventing an evaluation of their bid, and therefore they are non-responsive on their overall bid.

This is a twenty-four (24) month requirements-type Contract for Stearns Airport Equipment Parts for the El Paso International Airport.

Vendor does not offer the option of extending the term of the contract. Vendor does not offer a prompt payment discount. The Contract will officially begin at 12:01 AM, May 12, 2004. [Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

20B. Bid No. 2004-136 Repair Service-Auto Radiator & Tanks
Award to: Willies Welding and Radiator Service
El Paso, Texas

Item (s): Part 1, Group 1 (all), Group II (all), Group III (all)
Group IV (all), Group V (all), & Group VI (all),
Part II, Item #1 & 1A

Amount: \$40,000.00 (estimated annually)

Department: Fleet Services

Funds available: 37370510-503121-503125-45202

Funding source: Fleet Service Internal Service Fund

Total award: \$120,000.00

District (s): All

The Fleet Service and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

20C. Bid No. 2004-137 Asphalt & Concrete Crushing Service

Award to: Jobe Concrete Products, Inc.
El Paso, Texas

Item (s): 1

Amount: \$220,000.00 (estimated annually)

Department: Department of Aviation

Funds available: 62620029-508027-PAP0030-41071

Funding source: Airfield Asphalt Milling

Total award: \$220,000.00 (estimated annually)

District (s): 3

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

This is a twelve (12) month requirements-type Contract for Asphalt & Concrete Crushing Services for the El Paso International Airport.

Vendor offers the City the option of extending the term of the contract for twenty-four (24) additional months at the same unit prices.

Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 AM, May 12, 2004.
[Purchasing Department, Enrique Acosta, Jr., (915) 541-4267]

20D. Bid No. 2004-154 Magnesium Chloride Dust Control Agent
Award to: Texas Soil Control
El Paso, Texas
Item (s): Item #1 (all)
Amount: \$41,280.00 (estimated annually)

Department: Street Department
Funds available: 32010200-503203-01101
Funding source: Street Operating Account-Street Maintenance
Total award: \$123,840.00
District (s): All

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

Vendor also offers the City a prompt payment discount of 2% 10 days.

This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.

[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

21. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

21A. BT2004-524 SOLID WASTE MANAGEMENT

To establish appropriations for sale of revenue bonds to purchase Solid Waste Management equipment for FY 04.

Increase	\$1,631,200	to	34340200/40415/508006	Veh Equip
Increase	\$ 60,000	to	34340200/40415/508008	OffEquip&App
Increase	\$1,546,600	to	34340200/40415/508029	Hvy/OffRdEqp
Increase	\$3,237,800	to	34340200/40415/407020	Bond Proc

21B. BT2004-675 COMMUNITY AND HUMAN DEVELOPMENT

This transfer will fund the additional construction amount needed to complete the redesigned Doniphan Park Project that originally came in over budget by transferring a portion of the Logan Park Project's construction account to the redesigned Doniphan Park Project construction to fund the construction redesign account.

Decrease	\$16,000	from	71150069/G7128CD007507763/508027	Construction
Increase	\$16,000	to	71150069/G7128CD007407762/508027	Construction

21C. BT2004-694 SOLID WASTE MANAGEMENT

To appropriate funds necessary to construct perimeter fencing around the original Clint landfill in order to meet the permit requirements for the new Clint landfill. Funding is available from landfill fees which have exceeded estimated revenue for Fiscal Year 2004.

Increase	\$200,000	to	34010296/PSWM000840403/403141	Landfill Fees
Increase	\$200,000	to	34010296/PSWM000840403/508001	LandImprvmts

21D. BT2004-708 BUILDING & PLANNING SERVICES

Building and Planning Services proposes to appropriate \$2,000,000 to fund construction of Civic Center Capital Improvements. **(All Districts)**

Increase	\$2,000,000	to	57107100/P50156627456/407002	EstRev
Increase	\$1,700,000	to	57107100/P50156627456/508027	Construction
Increase	\$ 40,000	to	57107100/P50156627456/508024	Testing
Increase	\$ 40,000	to	57107100/P50156627456/508026	Inspections
Increase	\$ 195,000	to	57107100/P50156627456/508016	CntA&Desgn
Increase	\$ 20,000	to	57107100/P50156627456/508051	PrgMgtCEng
Increase	\$ 5,000	to	57107100/P50156627456/508022	Admin

22. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

22A. Ascarate Elementary to hold an end of the year Color Day parade on May 25, 2004 from 9:00 a.m. to 10:00 a.m. Route: Start at school yard on George Orr, turn left of Peach Tree to Croom, turn right on Croom to Date Tree, turn left on Date Tree to Coconut Tree, turn left on Coconut Tree to Granite, turn left on Granite to Croom, turn right on Croom to Peach Tree and finish at school yard on George Orr. Approximately 600 persons, 5 vehicles will take part and 200 spectators are anticipated. PERMIT NO. 04-036 **(District 3)** [Grace Martinez]

22B. U.S.-Mexico Border Health Association to hold a 12th Annual Int'l AIDS Candlelight Vigil on May 16, 2004 from 8:00 p.m. to 8:30 p.m. (vigil starts at 7:00 p.m. to 8:00 p.m.) Route: Start at La Fe Cultural Center located on 721 S. Ochoa (rear) to Father Rahm, proceed on Father Rahm to Stanton, turn left on Stanton, proceed on Stanton towards the Stanton International Bridge. Approximately 200 persons will take part. PERMIT NO. 04-037 **(District 8)** [Ruby A. Marentes or Apolonia Hernandez]

22C. Ronnie Oliver to block off Imperial Gem between Belfry Park and Blazon Gold on August 28, 2004 from 6:00 p.m. and ending at 1:00 a.m. on August 29, 2004 for a block party. Approximately 15 persons will take part and 550 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." This request includes permission to use amplification (1 amplifier, 2 speakers, and 1 microphone). PERMIT NO. 04-038 **(District 5)** [Ronnie Oliver]

- 22D.** Iglesia de Dios Todopoderoso to block off S. Ochoa between 406 S. Ochoa and Third St. on June 19, 2004 and June 20, 2004 from 6:00 p.m. to 10:00 p.m. for a Christian revival block party. Approximately 14 persons will take part and 50-60 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Control Devices." This request includes permission to use amplification (2 medium J.B.L speakers, 6 microphones, and 1 amplifier). PERMIT NO. 04-039 **(District 8)** [Alfredo Sanchez]
- 22E.** Lancaster Elementary School to block off Elgin Dr. between Spalding Way & Brandywine Rd; Brandywine Rd. between Elgin & Nottingham Dr. on May 13, 2004 from 9:00 a.m. to 10:30 a.m. for a book parade. Parade route: Start at 9230 Elgin Dr. to Brandywine, turn right on Brandywine Rd., to Nottingham, turn right on Nottingham to Excelsior Rd. and finish at the school playground at 9230 Elgin. Approximately 800 persons will take part and 100 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 04-040 **(District 6)** [Angela A. Garcia]

REGULAR AGENDA

23. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

- 23A.** An Ordinance vacating a portion of Hawthorne Street out of Alexander Addition, an unrecorded map in the City of El Paso, El Paso County, Texas. **(District 8)**
[Planning, Research & Development, Rudy Valdez, 541-4635]
- 23B.** An Ordinance granting a special privilege to The Central Business Association of El Paso, Inc., to permit temporary sidewalk vending for participating merchants within certain public rights-of-way in Downtown El Paso from May 26, 2004 through July 3, 2004. (Fee: \$100.00 per 3' x 9' vending area or \$200.00 per 6' x 9' vending area, SP-03009) **(District 8)**
[Building Permits and Inspections, Raymond Bonilla, (915), 541-4767]

PUBLIC HEARING WILL BE HELD ON TUESDAY, MAY 25, 2004 FOR ITEMS 23A – 23B

- 23C.** An Ordinance Granting Special Permit No. ZON04-00041, to allow for a philanthropic use on a Portion of Block 5, Martinez Homestead Addition, El Paso, El Paso County, Texas (205 Tobin Place) pursuant to Section 20.14.040, and the penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZONE: R-5 (Residential). Applicant: El Paso Lighthouse, Inc./ Representative: Harry Tyler, Executive Director, 200 Washington St., El Paso, TX 79905 **(District 3)**
[Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

PUBLIC HEARING WILL BE HELD ON WEDNESDAY, JUNE 2, 2004 FOR ITEM 23C

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

24. DISCUSSION AND ACTION – MAYOR AND COUNCIL:

24A. Discussion and action on entering into a pilot recycling program with Nortoner to collect, remove and transport, or dispose of the City's empty toner, fax, inkjet and photocopier cartridges through the setting up of collection containers in diverse locations in El Paso. This pilot program would serve a public purpose by providing a recycling opportunity after the recent public concerns regarding the lack of recycling efforts by the City of El Paso; any monies generated from this recycling effort are considered public funds; and the collections would fall within the legal requirements of a \$3,000.00 limit without calling for competitive bidding, as defined by Legal. [Representative Jose Alexandro Lozano, (915) 541-4515]

24B. Discussion and action on providing disability awareness and etiquette training to the Mayor and Council Representatives.
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

24C. Staff briefing on landfill operational and management issues.
[Mayor & Council, Jim Martinez, (915) 541-4015]

24D. Discussion and action on policy related to placing items on the additions to the agenda. [Representative John F. Cook, (915) 541-4140]

24E. Resolution that the dates of the following regular City Council meetings are changed as indicated below:

Tuesday, June 1, 2004 is changed to Wednesday, June 2, 2004
Tuesday, July 6, 2004 is changed to Wednesday, July 7, 2004

The time and location of the Meetings remain the same.
[Mayor's Office, Adrian Ocegueda, (915) 541-4145]

25. DISCUSSION AND ACTION – BUILDING AND PLANNING SERVICES:

Discussion and Action authorizing the departments of Building & Planning Services, Planning Research & Development, Engineering, and Building Permits & Inspections to accept and process, upon authorization from the Deputy Chief Administrative Officer for Building & Planning Services, any zoning-related, subdivision, vacation, or dedication related application or any other required permit applications on City property for the purpose of effecting any approved capital bond project under the 2000 Quality of Life and 2004 Bond Programs, and authorizing an expedited handling of such to meet project schedules. [Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

26. DISCUSSION AND ACTION – BUILDING PERMITS & INSPECTIONS:

Resolution that the Pre-Qualification Requirements and Procedures, as related to the Selection Procedures for Third Party Plan Review Companies, pursuant to Section 18.02.101.4.9 of the El Paso Municipal Code, is hereby approved by the City Council of the City of El Paso as attached hereto as Attachment “A”.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

27. DISCUSSION AND ACTION – ENGINEERING

Discussion and action on approval of Conditional “B” building permits for Franklin Hills Unit 2 Subdivision. **(District 1)** [Engineering Department, Bashar Abugalyon, (915) 541-4157]

28. DISCUSSION AND ACTION – PLANNING, RESEARCH AND DEVELOPMENT:

28A. Discussion and action authorizing the Planning, Research & Development Department to prepare and process an amendment to Title 20 (Zoning) of the El Paso Municipal Code, by adding churches as a permitted use in Chapters 20.34 (C-OP Office Park District), 20.46 (M-1 Light Manufacturing District), 20.48 (M-2 Heavy Manufacturing District), 20.50 (M-3 Unrestricted Manufacturing District), 20.53 (U-P Union Plaza District), 20.58 (P-C Planned Commercial District), and 20.60 (P-I Planned Industrial District).
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

28B. Discussion and action authorizing the Planning, Research & Development Department to initiate and process a rezoning application for property legally described as a portion of Tract 3, Block 7, Upper Valley Surveys. **(District 1)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]

28C. Discussion and action authorizing the Street Department to submit a rezoning, special permit, and street rights-of-way dedication application for City-owned property legally described as Lots 2 and 3, Block 1, Castner Range Subdivision; and that the Planning, Research & Development Department be authorized to accept and process such applications.
(District 4) [Planning, Research and Development, Fred Lopez, (915) 541-4925]

29. DISCUSSION AND ACTION – PURCHASING:

29A. Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-080, 4 Person Tilt Cab Pumpers for the El Paso Fire Department. This item will be re-bid with revised specifications.
[Purchasing Department, Monica Vera, (915) 541-4234]

29B. Request approval for the Director of Purchasing to reject the bids submitted for Bid No. 2004-085, Type1, Class 1 Ambulances for the El Paso Fire Department. This item will be re-bid with revised specifications.
[Purchasing Department, Monica Vera, (915) 541-4234]

30. PUBLIC HEARING – MAYOR & COUNCIL:

An Ordinance amending Title 20 (Zoning) Chapter 20.88 (General Design and Use Regulations) Section 20.08.207 (Mobile Service Unit Development Standards) to redesignate all mobile service unit ordinance references now located in 20.08.207 to code Section 20.08.207.5; to add 20.08.207.5.10 which will allow businesses to provide Mobile Servicing for employee vehicles at the employer's place of business; and to amend Chapter 20.02 (General Provisions and Definitions) to change the reference in 20.02.513 (Mobile Service Units) from 20.08.207 to 20.08.207.5. The penalty is as provided in 20.68 of the City of El Paso Municipal Code.

[Representative John F. Cook, (915) 541-4140]

31. PUBLIC HEARINGS – BUILDING PERMITS & INSPECTIONS:

31A. An Ordinance amending Title 18 (Buildings and Construction), Chapter 18.02 (Building and Construction Administrative Code), of the El Paso Municipal Code, to add Section 18.02.101.4.9 (Selection Procedures for Third Party Plan Review Services) to provide for the review of plans and permit documents by approved Third Party Companies and to enumerate a selection procedure for said companies. [Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

31B. An Ordinance granting a Special Privilege to Trade Key, LTD, permitting the encroachment onto public rights-of-way with one (1) subsurface drainage eighteen inch (18") Type III RCP (Reinforced Concrete Pipe) along Venture Drive. **(District 6)** (Consideration; SP-04004, Total Annual Fee: \$1,320.00) [Building Permits and Inspections, Raymond Bonilla, (915), 541-4767]

31C. An Ordinance granting a Special Privilege to "RX" Sin Receta LLC, to permit the temporary use and closure of a portion of the two eastern lanes of the Zaragosa International Bridge; and public rights-of-way along the alley between Oregon Street and El Paso Street and between Third Avenue and Sixth Avenue; and the north east corner of Father Rahm Avenue and El Paso Street. For the purpose of filming a motion picture on May 20, 21, 24, 25, 26, 27, 2004. (Fee: \$375.00, SP-04007) **(Districts 6 and 8)** [Building Permits and Inspections, Raymond Bonilla, (915), 541-4767]

32. PUBLIC HEARING – HUMAN RESOURCES:

An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 15, Suspension, Reduction and Discharge, to add Section 6, to allow employees to forfeit annual leave in lieu of serving a suspension provided that appeal rights are waived. [Human Resources, Terry Bond, (915) 541-4509]

33. PUBLIC HEARING – PLANNING, RESEARCH AND DEVELOPMENT:

An Ordinance changing the zoning of Tract 6A1 and a portion of Tract 6D, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant / Representative: Enrique Escobar; 301 E. Borderland Road #73, El Paso, TX 79932. ZON04-00037 **(District 1)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

34. PUBLIC HEARINGS – BUILDING PERMITS & INSPECTIONS:

34A. Public hearing to determine if the property located at 700 E. Third Avenue AKA 502 S. Florence Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 5th, 2003. The owners of this property, Adolfo J. & Alexandro Avila, 8445 New Haven Drive, El Paso, Texas 79907, have been notified of the violations at this property. Property located at 502 S. Florence has delinquent taxes in the amount of \$205.65 **(District 8)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

34B. Public hearing to determine if the property located at 7429 Rose Circle, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated September 11th, 2003. The owners of this property, Teresa L. Lerma and Eduardo N. Lerma, 1417 Montana Avenue, El Paso, Texas 79902, have been notified of the violations at this property. Delinquent taxes in the amount of \$858.64 for year 2003. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

34C. Public hearing to determine if the property located at 7202-7204 North Loop Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated December 8th, 2003. The owner of this property, Gonzalo Gonzalez, Owner, 7202-7204 North Loop Drive, El Paso, Texas 79915 and Gonzalo Gonzalez, Owner, 7221 North Loop Drive, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

35. The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

35A. Petition of El Paso Electric Company to Reconcile Fuel Costs; PUC Docket 26194; SOAH Docket No. 473-03-0278. (551.071)
[City Attorney's Office, Kevin Elkins, (915) 541-4550]

35B. Jack Briggs v. City of El Paso, Cause No. 2002-896 (551.071)
[City Attorney's Office, Maria Guadalupe Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY
AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov>